DAE  
1FW**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/556,339
Filing Date	April 24, 2000
First Named Inventor	David G. WORTHY
Art Unit	2611
Examiner Name	Vivek Srivastava
Attorney Docket Number	006697.00001

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition To Withdraw Holding of Abandonment <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copies of all Papers filed June 16, 2005, including: Date-stamped filing receipt, Transmittal, Fee Transmittal, Petition for Extension of Time Under 37 CFR 1.136(a), Amendment and Terminal Disclaimer To Obviate a Double Patenting Rejection Over a "Prior" Patent.
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Jordan N. Bodner		
Date	July 15, 2005	Reg. No.	42,338

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
David G. WORTHY ) Group Art Unit: 2611  
Serial No.: 09/556,339 ) Examiner: Vivek Srivastava  
Filed: April 24, 2000 ) Atty Dkt No.: 006697.00001  
For: BIAS COMPENSATING REMOTE )  
AUDIENCE SURVEY SYSTEM AND )  
METHOD )

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Petition  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Dear Sir:

This paper is being filed in response to the Notice of Abandonment dated June 24, 2005. As discussed below, the holding of abandonment was in error and should be withdrawn as soon as possible. Since the holding of abandonment was an error by the U.S. Patent and Trademark Office (USPTO), no fee should be due for this submission. However, the Commissioner is authorized to charge our Deposit Account 19-0733 for any fee that may nevertheless be required in connection with this filing.

In response to the non-final Office Action mailed December 17, 2005, Applicants filed an Amendment, Terminal Disclaimer, and Petition for Extension of Time (3 Months) on June 16, 2005. A copy of these papers is enclosed together with a copy of the postcard date-stamped June 16, 2005, acknowledging receipt by the USPTO.

Because Applicants timely responded to the Office Action, the holding of abandonment is therefore erroneous, and it is respectfully requested that the holding of abandonment be

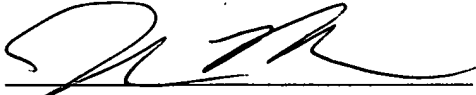
vacated as soon as possible to reduce further unjustified delay of prosecution.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: July 15, 2005

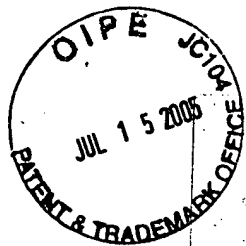
By:

A handwritten signature in black ink, appearing to read 'J. Bodner', written over a horizontal line.

Jordan N. Bodner

Registration No. 42,338

1001 G Street, N.W.  
Eleventh Floor  
Washington, D.C. 20001  
(202) 824-3000



☒ PATENT ☐ DESIGN B&W Ref. 006697.00001 Date: 6/16/05  
☐ HAND CARRY Group/Section \_\_\_\_\_ Bldg \_\_\_\_\_ Rm \_\_\_\_\_  
Serial/Patent No.: 09/556,339 Atty/Sec: JNB:SMN  
Inventor: WORTHY Client: CONSYNTRIX, INC.  
Title: BIAS COMPENSATING REMOTE AUDIENCE SURVEY SYSTEM AND METHOD

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- |   |   |
|---|---|
| <input type="checkbox"/> total pp Spec., including : # of Claims  | <input type="checkbox"/> Request for Corrected : <input type="checkbox"/> Filing Receipt <input type="checkbox"/> Assignment        |
| <input type="checkbox"/> # of independent claims  | <input type="checkbox"/> Response to Restriction/Election Requirement   |
| <input type="checkbox"/> Application Data Sheet (ADS): <input type="checkbox"/> Initial <input type="checkbox"/> Supplemental                     | <input type="checkbox"/> Sequence Listing: <input type="checkbox"/> Diskette <input type="checkbox"/> Paper _____ pages             |
| <input type="checkbox"/> Drawings: <input type="checkbox"/> Formal <input type="checkbox"/> Informal  | <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Response : OA <u>12-06-05</u>                                |
| <input type="checkbox"/> # of distinct sheets _____ Figs: _____   | <input checked="" type="checkbox"/> Petition for Extension of Time until <u>6/16/05</u>   |
| <input type="checkbox"/> Nonpublication Request   | <input type="checkbox"/> RCE <input type="checkbox"/> w/Ext of Time: OA dtd _____   |
| <input type="checkbox"/> Declaration/Power of Attorney: <input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted                     | <input type="checkbox"/> Request for Approval of Drawing Changes  |
| <input type="checkbox"/> Assignment w/PTO Cover Sheet   | <input type="checkbox"/> Notice of Appeal & Fee   |
| <input type="checkbox"/> IDS w/PTO 1449 <input type="checkbox"/> References <input type="checkbox"/> w/Fee <input type="checkbox"/> based off ISR | <input type="checkbox"/> Brief : <input type="checkbox"/> Appeal & Fee <input type="checkbox"/> Reply                               |
| <input type="checkbox"/> Preliminary Amendment  | <input type="checkbox"/> Request for Oral Hearing   |
| <input type="checkbox"/> Priority Claim: (Foreign or U.S. Provisional) B&W# _____   | <input type="checkbox"/> Issue Fee <input type="checkbox"/> Pub. Fee <input type="checkbox"/> Adv. Pat. Copied                      |
| Country _____ Appl. # _____ Date _____  | <input type="checkbox"/> Notice of Allowance dtd _____  |
| <input type="checkbox"/> w/Foreign Priority Document(s)   | <input type="checkbox"/> Amendment under 37 CFR 1.312   |
| <input type="checkbox"/> Application: <input type="checkbox"/> CIP <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional      | <input type="checkbox"/> Request for Certificate of Correction  |
| Parent SN: _____ B&W# _____   | <input checked="" type="checkbox"/> Transmittal <input checked="" type="checkbox"/> Fee Transmittal w/Auth. to Charge Deposit Acct. |
| <input type="checkbox"/> U.S. Provisional _____ pp Spec/Claims; Cover Sheet   | <input type="checkbox"/> Certificate of Mailing   |
| <input type="checkbox"/> Response to Missing Parts/Requirements dtd _____   | <input type="checkbox"/> Check No. _____ for \$ _____   |
| <input type="checkbox"/> Response to Notice to File Corrected Appln. Papers dtd _____   | <input checked="" type="checkbox"/> <b>TERMINAL DISCLAIMER</b>  |
| <input type="checkbox"/> Request for Expedited Foreign Filing License   | <input type="checkbox"/> _____  |

JUN 16 2005


(8)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing) Total Number of Pages in This Submission	Application Number	09/556,339
	Filing Date	April 24, 2000
	First Named Inventor	David G. WORTHY
	Art Unit	2611
	Examiner Name	Vivek Srivastava
	Attorney Docket Number	006697.00001

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Terminal Disclaimer
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Jordan N. Bodner		
Date	June 16, 2005	Reg. No.	42,338

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Effective on 12/08/2004.  
Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL for FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 575.00

Complete If Known

Application Number 09/556,339  
Filing Date April 24, 2000  
First Named Inventor David G. WORTHY  
Examiner Name Vivek Srivastava  
Art Unit 2611  
Attorney Docket No. 006697.00001

## METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : \_\_\_\_\_
- ☒ Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD.
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments
- Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

### 2. EXCESS CLAIM FEES

#### Fee Description

	Small Entity Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
_____ - 20 or HP= _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
_____ - 3 or HP= _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_


### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Terminal Disclaimer (\$ 65); Petition for Extension of Tim (3 Months) (\$ 510);

**Fees Paid (\$)**  
**\$575.00**

## SUBMITTED BY

Signature  Registration No. 42,338 Telephone 202-824-3000  
(Attorney/Agent)  
Name (Print/Type) Jordan N. Bodner Date June 16, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



## PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

FY 2005

(fees effective on or after December 8, 2004)

Docket Number (Optional)

006697.00001

Application Number 09/556,339

Filed April 24, 2000

For BIAS COMPENSATING REMOTE AUDIENCE SURVEY SYSTEM AND METHOD

Art Unit 2611

Examiner Vivek Srivastava

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	<u>\$510</u>
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____

- ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 19-0733. I have enclosed a duplicate copy of this sheet.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ attorney or agent of record. Registration Number 42,338

☐ attorney or agent under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

  
Signature

Jordan N. Bodner, Reg. No., 42,338

Typed or printed name

June 16, 2005

Date

202-824-3000

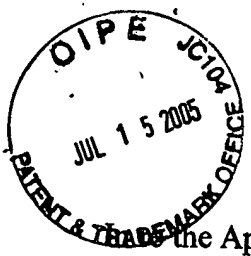
Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: the Application of:

David G. WORTHY

Serial No.: 09/556,339

Filed: April 24, 2000

For: BIAS COMPENSATING REMOTE  
AUDIENCE SURVEY SYSTEM AND  
METHOD

Atty. Docket No.: 006697.00001

Group Art Unit: 2611

Examiner: Vivek Srivastava

Confirmation No.: 7890

**AMENDMENT**

U.S. Patent and Trademark Office  
Customer Service Window - Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

This paper is responsive to the non-final Office Action mailed December 17, 2005. A three month extension of time is hereby requested for responding to the Office Action. Please charge any fees due to our Deposit Account No. 19-0733.



**Amendments to the Specification:**

Please insert the following new paragraph on the line immediately following the title:

This application is a continuation of, and claims priority to, U.S. Patent Application Serial No. 09/038,267, filed March 10, 1998, now issued as U.S. Patent No. 6,081,690.

**REMARKS**

Reconsideration and allowance are respectfully requested in view of the following remarks.

Claims 1-7 are rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 6,081,690. A Terminal Disclaimer is submitted herewith that is believed to render this rejection moot.

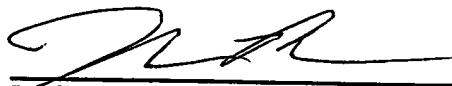
All rejections having been addressed, it is believed that the present application is in condition for immediate allowance. Should the Examiner have any questions or believe that a telephone interview would be desirable, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: June 16, 2005

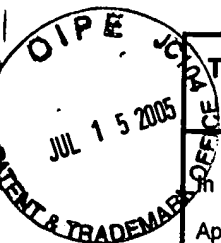
By:



Jordan N. Bodner

Reg. No. 42,338

1001 G Street, N.W.  
Washington, D.C. 20001-4597  
Tel: (202) 824-3000  
Fax: (202) 824-3001

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional),  
006697.00001

In re Application of: David G. WORTHY

Application No. 09/556,339

Filed: April 24, 2000

For: BIAS COMPENSATING REMOTE AUDIENCE SURVEY SYSTEM AND METHOD

The owner\*, Consyntrix, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,081,690 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record. Reg. No. 42,338

June 16, 2005

Signature

Date

Jordan N. Bodner

Typed or printed name

202-824-3000

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.